

TEXAS VITAL STATISTICS NEWS

Bureau of Vital Statistics, Texas Department of Health

Summer, 1998

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HOW TO ESTABLISH A PRIVATE CEMETERY

Have you ever considered establishing your own private cemetery, but did not know if there were any requirements or restrictions? Information relating to the establishment of private cemeteries can be found in Chapters 711 and 714 of the Texas Health & Safety Code.

For a municipality with a population of 5,000 to 25,000, a private cemetery may not be established in or within 1 mile of its boundaries. For a municipality with a population of 25,000 to 50,000, a private cemetery may not be established in or within 3 miles of its boundaries. For a municipality with a population of 100,000 to 200,000, a private cemetery may not be established in or within 4 miles of its boundaries. For a municipality with a population of at least 200,000, a private cemetery may not be established in or within 5 miles of its boundaries. Exceptions include organized religious societies that

wish to attach a columbarium to the primary church building and cemeteries that are already established. [HSC § 711.008]

Before establishing a private cemetery, you should contact your county officials about any requirements the county might have. For example, a cemetery can not be located in a flood plain. You also need to make sure there are no deed restrictions on your land, underground cables, etc. The land must be surveyed, platted and filed with the office of the county clerk, as well. This notifies others of the location of the private cemetery on your land and where the plots are located.

For burial, if the container is made of an impermeable material, the grave must be deep enough so that the outside top surface of the container is at least 1 ½ feet below the surface of the ground. It must be at least 2 feet below the surface of the ground if the burial container is not impermeable. These

restrictions do not apply to burials in a sealed surface reinforced concrete burial vault. [HSC 714.001]

Records of all burials in the cemetery must be kept. Each burial record should reflect the following information: the date the remains were received and interred; the name and age of the person interred, if known; and the identity of the plot where the remains are interred. [HSC § 711.003]

Once remains are interred on your land, you have established a private cemetery and must allow access to and from the cemetery. It is suggested the cemetery be located next to a road in case the land is ever sold. This will allow individuals to come in and out of the cemetery more easily.

For more information on establishing a private cemetery, contact your Field Representative. See page four for the name and phone number of the Field Representative for your region.

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APOSTILLE: AUTHENTICATING BIRTH AND DEATH CERTIFICATES

If you are transferred by your employer to a foreign country, wanting to marry in a foreign country, or if you are adopting a child born in a foreign country, you may need to present your birth certificate to an official with the foreign country.

If you are taking a deceased family member to a foreign country, or settling an estate of a deceased family member in a foreign country, the government officials with the foreign country will most likely require the death certificate of the decedent.

Depending on the country and the circumstance, the documents may not be accepted by the foreign government officials unless they have been authenticated by the Secretary of State's Office.

The 1961 Hague Convention established a pre-printed form for the purpose of authenticating documents for the countries that have joined the Convention. This form

is called an "Apostille." If a document is authenticated with an Apostille, it will be recognized and will not need further certification as long as the foreign country requesting the document has joined the Hague Convention. The United States has been a part of the Convention since October 15, 1981.

The Secretary of State for each state in the United States of America has the authority to prepare an Apostille for documents created within the state's jurisdiction. The Texas Secretary of State may authenticate birth, death or a variety of other documents that have been issued by Texas officials.

A certification of a birth or death record issued by the State Bureau of Vital Statistics may be authenticated by the Texas Secretary of State's Office. An Apostille may not be prepared for a certified copy of

See Apostille, page 3

OPTIONS WHEN EXPEDITING A REQUEST FOR VITAL RECORDS

It is the season for summer vacations, sports activities for children, and school registration which means the demand for birth records will increase over the next several months. The customer has two options for expediting a request for a certified copy of a birth or death record or a photocopy of a marriage or divorce record.

When sending supplemental registration documents for filing an amendment, delayed record, legal name change, or a new record based upon an adoption or paternity determination, you must use the second option (sending by overnight mail).

Option 1- Faxing a Request

Fax the following information to
(512)458-7711:

- Full name at time of birth or death.
- Date and place of birth or death.
- Parent's names, including mother's maiden surname.
- If requesting a marriage or divorce, state both the husband's and wife's names.
- Reason for requesting record.
- Relationship to person.
- Full street address.
- Daytime phone number.
- Mastercard or Visa number and expiration date (do not fax a copy of the card).

- Signature of card holder.
- Copy of picture ID.

Option 2 - Sending by Overnight Mail

Send the fee (check or money order) with the following information to:

Bureau of Vital Statistics
1100 W. 49th Street

Austin, Texas 78756-3191

(Do not use our P.O. Box Number when sending a request by overnight mail)

- Full name at time of birth or death.

- Date and place of birth or death.
- Parent's names, including mother's maiden surname.
- If requesting a marriage or divorce, state both the husband's and wife's names.
- Reason for requesting record.
- Relationship to person.
- Full street address.
- Daytime phone number.
- Signature of requestor.
- Copy of picture ID.

Fees

Birth Certificate Request

Each Search/Copy	\$11.00
Expedited Fee	\$5.00
Overnight Service*	\$5.00
Total	\$21.00

Death Certificate Request

Search/First Copy^	\$9.00
Expedited Fee	\$5.00
Overnight Service*	\$5.00
Total	\$19.00

^ Each additional copy of the same death record requested at the same time is \$3.00.

The above fees apply to the search for a birth or death record and are charged even if the record is not found.

Marriage or Divorce Search

Each Search	\$9.00
Expedited Fee	\$5.00
Overnight Service*	\$5.00
Total	\$19.00

Depending on how many years are requested to search, marriages and divorces may **not** be a one day service.

Additional Fees

Saturday Delivery (most areas)	\$10.00
International Delivery	\$15.00

If delivering out of the contiguous United States, fees may vary.

* If the return address is a P.O. Box or a Route, we will use Express Mail Service through the Post Office. The overnight fee is then \$10.75, not \$5.00.

Dear State Registrar

Q. Recently I heard that the Acknowledgement of Paternity (used to put a father on a birth certificate when he is not there to sign the certificate) was not going to need to be notarized in the future. Is this true and, if so, when will this go into effect?

A. The Acknowledgement of Paternity still needs to be notarized and will continue to need to be notarized for the foreseeable future. The Attorney General's office will accept the form without notarization, but the Bureau of Vital Statistics must have the form notarized if the father's information is to be included on the infant's birth certificate.

If you have a question, please e-mail us at bvswb@tdh.state.tx.us, fax it to (512) 458-7233, or mail to Bureau of Vital Statistics, Texas Department of Health, 1100 W. 49th St., Austin, TX 78756-3191. Attn: Texas Vital Statistics News.

MORTALITY DATA ACCESS USING EPIGRAM

EPIGRAM is a computer program which tabulates mortality statistics. This free program has the capacity to provide population data and mortality statistics such as number of deaths, death rates, years of potential life lost, and confidence intervals. Population data serve as denominators for the mortality rates.

Information about accessing EPIGRAM can be found through a link at the Bureau of Vital Statistics' web site at <http://www.tdh.state.tx.us/bvs/health.htm>

EPIGRAM is fast and easy to use. In a matter of seconds, EPIGRAM can be used to determine if mortality rates have improved due to an intervention strategy.

EPIGRAM tables are divided into three sections which include a header, data section, and bar graphs. Table columns are divided into male, female and both sexes combined. Row settings can be set by race groups, underlying cause of death codes, age groups, range of years, geographic area and combinations of the above. Bar graphs

give a quick visual representation of the data. The results may be imported into other software using an ASCII or comma-delimited format and a help screen is available from every menu.

EPIGRAM was developed by Daniel A. Goldman, M.D., formerly with the TDH Bureau of Chronic Disease Prevention and Control. Mortality data are supplied by the Bureau of Vital Statistics and population data are supplied by the Texas State Data Center at Texas A&M University.

Mortality data from 1980-1996 are currently available and are updated annually. Population estimates are available from EPIGRAM through 2006.

In order to access EPIGRAM via the Internet, you must pre-register and have a version of TELNET (Kermit 3.13 recommended). Questions and problems concerning EPIGRAM should be addressed to Art Cates in the Bureau of State Health Data and Policy Analysis at art.cates@tdh.state.tx.us. Comments for Dr. Goldman can be sent to: info@ehdp.com

APOSTILLE AND THE ROLE OF BVS

continued from page 1

a birth or death record issued from a local registration official unless a certification from the State Registrar has been attached.

The role of BVS

If you have a birth or death certificate that was issued by a local registration official that must be authenticated, it should first be submitted to the State Bureau of Vital Statistics to be certified by the State Registrar. A fee of \$11.00 is required to certify a birth record and \$9.00 is required to certify a death record. Send the fee and certified copy of the birth or death record to P.O. Box 12040, Austin, TX 78711-2040.

If you need a certified copy of a birth or death record from the State Bureau of Vital Statistics, you may obtain the application form for this by calling, E-mailing, faxing, or mailing the address of the applicant to our Bureau. Our telephone number is **(512) 458-7111**; our E-mail address is **register@tdh.state.tx.us**; our fax number is **(512) 458-7506**; and our mailing address is 1100 W. 49th St., Austin, Texas 78756-

3191. To insure that the proper certification is prepared for you, you need to state on your application that you will be sending the record to the Secretary of State's Office for an Apostille.

Once you have a properly certified document, send it with \$10.00 to the Secretary of State's Office for the Apostille. Their mailing address is: Secretary of State, Statutory Document Section, P O Box 12887, 1019 Brazos, 2nd Floor, Austin TX 78701, Phone Number: (512) 463-5654, web site: <http://www.sos.state.tx.us>.

Authenticating a Marriage or Divorce Document

An Apostille may be prepared for a marriage license certified by the county clerk or a divorce decree certified by the district clerk. Send the properly certified document with the \$10.00 fee directly to: Secretary of State, Elections Division, P.O. Box 12060, Austin, TX 78711-2060. These records should not be sent to the State Bureau of Vital Statistics since a **marriage license or divorce decree cannot be certified by the State Registrar**.

ACKNOWLEDGMENT OF PATERNITY AND ITS ASSOCIATION WITH BIRTH OUTCOMES

During 1996, there were 100,513 Texas resident births to unmarried mothers. The father acknowledged paternity on 52,196 (51.9%) of these births by signing the birth certificate or the acknowledgment of paternity form.

White and Hispanic mothers were more likely than black mothers to have paternity acknowledged by the father. Mothers 18-29 years old, and mothers with 12 or more years of education, were also more likely than other mothers to have the father acknowledge paternity.

Overall, acknowledgment of paternity was associated with a lower risk of having a

low birth weight infant and a greater likelihood of carrying the infant to term. These two conditions greatly decrease the risk of infant morbidity and mortality.

Acknowledgment of paternity was also associated with early prenatal care and reduced risk of health and medical problems during pregnancy. The overall better care on the part of the mother may be partially responsible for better birth outcomes.

Fathers have increasingly acknowledged paternity of their newborn children since the Texas birth certificate became an official form to acknowledge paternity (September 1, 1989).

However, simply getting the father to acknowledge paternity at birth does not guarantee better birth outcomes. Presumably, it is his involvement *throughout* the pregnancy that is responsible for these positive outcomes and, therefore, prenatal care providers should make efforts to involve the father early in the pregnancy in addition to getting him to acknowledge paternity at the time of birth.

For further information, or a copy of this report, contact the Statistical Services Division at **(512) 458-7509** or **bvsweb@tdh.state.tx.us**.

FETAL DEATH CERTIFICATE USE IN PUBLIC HEALTH

Collecting information for fetal death certificates is sometimes difficult but extremely important because they are useful in measuring public health.

For example, Texas fetal death certificates assisted in detecting neural tube defects in the Rio Grande Valley. Neural tube defects are usually fatal because the spinal cord fails to develop properly. Since we know that a vitamin supplement (folic acid) helps prevent neural tube defects, the Texas Department of Health now distributes folic acid to pregnant women across the state.

It is important that hospitals and funeral homes collect accurate and complete information on the fetal death certificate so that health problems, such as neural tube defects, can be detected and treated.

Some funeral homes and hospitals have expressed concern about collecting all of the fetal death certificate information from mourning parents. Funeral homes can minimize intrusion on the parents by obtaining as much information as possible from hospital medical records. Sharing the importance of fetal death certificate information with parents may also help obtain complete and accurate fetal death information.

Staff Update

The Bureau of Vital Statistics would like to congratulate Melanie Williams (formerly Melanie James) for completing her Ph.D. on March 19, 1998, from the University of Georgia in Athens. She earned a Doctorate of Philosophy in Speech Communications, specializing in health communication campaigns, research methods, and statistics.

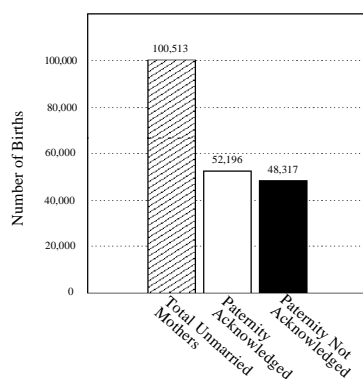
Ms. Williams began her employment as a field representative in the Vital Registration Division of the Bureau in August 1995. In February 1997, she was promoted to Program Director of the Field Services Section of the division, overseeing the BVS field representatives and the Child Death Registry.

Please join us in congratulating Dr. Williams for this outstanding accomplishment!

Remote Birth Access Update

For information about using the Remote Birth Access service, you may contact Barbara Mullings at her new telephone number - (512) 458-7366.

Births to unmarried mothers by acknowledgment of paternity, Texas residents, 1996



We would love to hear from you! Fax us at (512) 458-7233, e-mail us at bvsweb@stats.tdh.state.tx.us or write us at Bureau of Vital Statistics, Texas Department of Health, 1100 W. 49th St., Austin, TX 78756.

Please list any topics you would like to see in this newsletter: _____

Please list any questions you have for Dear State Registrar: _____

Any other comments or suggestions: _____

Name: _____

Address: _____

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Available Reports

<http://www.tdh.state.tx.us/bvs/reports.htm>

Texas Vital Statistics 1996
Texas Child Fatality Review Teams Annual Report 1995
1996 Mortality Report for Nursing Facilities and Related Institutions
Perinatal Mortality in Texas, 1995
The impact of alcohol use on mortality: new estimates from the revised Texas death certificate
Delayed childbearing: increased maternal age at first birth and its association with labor and delivery outcomes
Acknowledgment of paternity and its effect on unmarried mothers and birth outcomes

Regional Conferences

In July, the Bureau of Vital Statistics is hosting regional conferences in the following cities:

- Corpus Christi - July 13
- San Angelo - July 20
- Tyler - July 27

The conferences are for local registrars, hospitals, birthing centers, midwives, funeral homes and justices of the peace. Call your Field Representative for more information or for a brochure.

Field Representatives

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(512) 458-7111 x2530

East Texas Roger Faske
(512) 458-7111 x2534

Central Texas Melanie Williams, Ph.D.
(512) 458-7367

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